



**RESOLUTION OF THE GOVERNING BODY OF THE  
THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD INDIAN RESERVATION**

*A Resolution entitled, "Consent to Survey Certain Tribal land for the  
South Segment's Fort Berthold Rural Water Project"*

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws under said Act, and

**WHEREAS,** Pursuant to Article III, Section 1 of the Constitution and By-Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS,** Pursuant to Article VI, Section 5(1) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Council, its Agencies and Officials; and

**WHEREAS,** Article IX Sections 1 and 3 of the Constitution provides that the Tribal Business Council has the authority to manage and lease or otherwise deal with tribal lands and resources; and

**WHEREAS,** The applications for Consents to Survey described herein have been reviewed and recommended for approval in accordance with the MHA Nation's approved procedure for authorizing Consents to survey on tribal land; and

**WHEREAS,** The Tribal Business Council finds it appropriate to authorize the Consents to Survey described herein.

**NOW THEREFORE BE IT RESOLVED,** the Business Council hereby grants consent and to the Survey for the following tribal lands:

1. Fort Berthold Rural Water, along with the Three Affiliated Tribes, will construct a new rural water supply system in the **South Segment**. The easement will run a variable size water main to a new rural water distribution system being built in the Twin Buttes Community, across certain tribal lands in:
  - a. Allotment Number **T0480, Section 27, T. 147 N., R. 90 W.**, as more particularly described in Appendix A.1
  - b. Allotment Number **T1867, Section 29 T. 147 N., R. 90 W.**, as more particularly described in Appendix A.2



**APPENDIX A.1**

This Project will be piping potable water, designed by the Fort Berthold Rural Water, throughout the South Segment. The easement will run a water main pipe line from the Twin Buttes Community, across Allotment Number T0480, SW1/4SW1/4, Section 27, T. 147 N., R. 90 W., Mercer County, 5<sup>th</sup> Principal Meridian of North Dakota

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS**

**STATEMENT OF LANDOWNERS TO ACCOMPANY APPLICATION  
FOR PERMISSION TO MAKE SURVEY**

<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>
T0480	SW1/4SW1/4 Section 27, T. 147 N., R. 90 W.	100.0%

The Three Affiliated Tribes hereby consent to granting of permission to survey only, as contemplated by the application submitted by Tribe and Fort Berthold Rural Water, for the Water Pipe Line in the **South Segment**. (It is understood that when the right-of-way location is definitely established, that the applicant will submit formal application for right-of-way in accordance with current laws and regulations.) This consent has been negotiated on the following terms and conditions:

**The Three Affiliated Tribes is also requiring Fort Berthold Rural Water to submit shape files to the TAT – Easement Office, as required by Tribal Resolution Number 11-047-VJB. This data shall be submitted no later than 30 days after completion of project.**

**As a condition of said consent, it shall be required that language be added to said right of way as follows: Nothing in this grant of right of way shall diminish or be construed to diminish the jurisdiction and sovereign authority of the Three Affiliated Tribes over the above described lands and the Tribe hereby retains its jurisdiction and sovereign authority over said lands.**



APPENDIX A.1

This Project will be piping potable water, designed by the Fort Berthold Rural Water, throughout the South Segment. The easement will run a water main pipe line from the Twin Buttes Community, across Allotment Number T0480, SW1/4SW1/4, Section 27, T. 147 N., R. 90 W., Mercer County, 5<sup>th</sup> Principal Meridian of North Dakota

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY

<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Vallue</u>
T0480	SW1/4SW1/4 Section 27, T. 147 N., R. 90 W.	100.0%	\$ 135.00

Three Affiliated Tribes do give permission to granting of a right-of-way, for the construction of the Fort Berthold Rural Water distribution project (as shown on attached map) and will except payment.

**The Three Affiliated Tribes is also requiring Indian Health Service to submit shape files to the TAT – Easement Office, as required by Tribal Resolution Number 11-047-VJB. This data shall be submitted no later than 30 days after completion of project.**

**As a condition of said consent, it shall be required that language be added to said right of way as follows: Nothing in this grant of right of way shall diminish or be construed to diminish the jurisdiction and sovereign authority of the Three Affiliated Tribes over the above described lands and the Tribe hereby retains its jurisdiction and sovereign authority over said lands.**



Allotment T0480

SW1/4SW1/4, Section 27, T. 147 N. R. 90 W. - 100% Interest



**APPENDIX A.2**

This Project will be piping potable water, designed by the Fort Berthold Rural Water, throughout the South Segment. The easement will run a water main pipe line from the Twin Buttes Community, across Allotment Number T1867, NE1/4SE1/4, Section 29, T. 147 N., R. 90 W., Mercer County, 5<sup>th</sup> Principal Meridian of North Dakota

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
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**STATEMENT OF LANDOWNERS TO ACCOMPANY APPLICATION  
FOR PERMISSION TO MAKE SURVEY**

<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>
T1867	NE1/4SE1/4 Section 29, T. 147 N., R. 90 W.	100.0%

The Three Affiliated Tribes hereby consent to granting of permission to survey only, as contemplated by the application submitted by Tribe and Fort Berthold Rural Water, for the Water Pipe Line in the **South Segment**. (It is understood that when the right-of-way location is definitely established, that the applicant will submit formal application for right-of-way in accordance with current laws and regulations.) This consent has been negotiated on the following terms and conditions:

**The Three Affiliated Tribes is also requiring Fort Berthold Rural Water to submit shape files to the TAT – Easement Office, as required by Tribal Resolution Number 11-047-VJB. This data shall be submitted no later than 30 days after completion of project.**

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APPENDIX A.2

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UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

CONSENT OF OWNERS TO GRANT RIGHT-OF-WAY

<u>Allotment</u>	<u>Description</u>	<u>% of Share</u>	<u>Offered Value</u>
T1867	NE1/4SE1/4 Section 29, T. 147 N., R. 90 W.	100.0%	\$ 198.00

Three Affiliated Tribes do give permission to granting of a right-of-way, for the construction of the Fort Berthold Rural Water distribution project (as shown on attached map) and will except payment.

**The Three Affiliated Tribes is also requiring Indian Health Service to submit shape files to the TAT – Easement Office, as required by Tribal Resolution Number 11-047-VJB. This data shall be submitted no later than 30 days after completion of project.**

**As a condition of said consent, it shall be required that language be added to said right of way as follows: Nothing in this grant of right of way shall diminish or be construed to diminish the jurisdiction and sovereign authority of the Three Affiliated Tribes over the above described lands and the Tribe hereby retains its jurisdiction and sovereign authority over said lands.**



Allotment T1867

NE1/4SE1/4, Section 29, T. 147 N. R. 90 W. - 100% Interest



**BE IT FINALLY RESOLVED**, that the Chairman is hereby authorized to execute such documents and take such further actions as are necessary to carry out the terms and intent of this Resolution.


**CERTIFICATION**


I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a **Special Meeting** thereof duly called, noticed, convened and held on the 28th\_ day of **May**, 2015, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ X ] Voting. [ ] Not Voting.

Dated this 28th day of May, 2015.

**ATTEST:**

  
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Tribal Secretary, L. Kenneth Hall  
Tribal Business Council

  
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Tribal Chairman, Mark N. Fox  
Tribal Business Council